

Message

From: Caplan, Robert W. [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D02D2CB3F9284E84B1F4618E7E5C869E-CAPLAN, ROBERT]
Sent: 2/8/2019 10:03:23 PM
To: Ragland, Ed (USAALN) [Ed.Ragland@usdoj.gov]; Ingersoll, Andrew (ENRD) [Andrew.Ingersoll@usdoj.gov]; Dunne, Timothy (ENRD) [Timothy.Dunne@usdoj.gov]
Subject: RE: margin

Thanks Ed.

Robert Caplan
Senior Attorney
U.S. EPA, Region 4
61 Forsyth Street
Atlanta, Georgia 30303
404-562-9520

-----Original Message-----

From: Ragland, Ed (USAALN) <Ed.Ragland@usdoj.gov>
Sent: Friday, February 08, 2019 5:01 PM
To: Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>; Dunne, Timothy (ENRD) <Timothy.Dunne@usdoj.gov>
Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>
Subject: RE: margin
Importance: High

Bingo! The proposed consent decree is now up on PACER as an exhibit to the Notice of Lodging. See attached FILED stamped Consent Decree and a copy of the updated docket sheet.

-----Original Message-----

From: Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>
Sent: Friday, February 08, 2019 2:54 PM
To: Dunne, Timothy (ENRD) <Timothy.Dunne@usdoj.gov>
Cc: Ragland, Ed (USAALN) <ERagland@usa.doj.gov>; Caplan, Robert W. <Caplan.Robert@epa.gov>
Subject: Re: margin

Thanks, Tim. Yes the CD is an exhibit to a filed document so absolutely needs to be posted.

- Andrew

> On Feb 8, 2019, at 3:52 PM, Dunne, Timothy (ENRD) <TDunne@enrd.usdoj.gov> wrote:
>
> Ed,
> I see that the clerk added the Notice of Lodging to Pacer docketed as:
>
> NOTICE of Tendering a Copy of a Proposed Consent Decree by Jefferson County Board of Health, United States of America (AFS) (Entered: 02/08/2019)
>
> But the CD itself is not attached. Can you check with the Clerk again? The CD should be filed as an attachment to the Notice.

>
> Thanks, Tim
>
>

> -----Original Message-----

> From: Ragland, Ed (USAALN) <Ed.Ragland@usdoj.gov>
> Sent: Friday, February 8, 2019 3:43 PM
> To: Dunne, Timothy (ENRD) <TDunne@ENRD.USDOJ.GOV>; Ingersoll, Andrew (ENRD) <AIngersoll@ENRD.USDOJ.GOV>; Caplan, Robert W. <Caplan.Robert@epa.gov>
> Subject: RE: margin
> Importance: High
>
> Docket clerk has not telephoned yet. But in looking myself, the Complaint is up on PACER
>
> See attached FILED STAMPED full copy of complaint.
>
> Will advise on the Notice of Lodging when it goes up on the system
>
> -----Original Message-----

> From: Dunne, Timothy (ENRD) <Timothy.Dunne@usdoj.gov>
> Sent: Friday, February 08, 2019 2:13 PM
> To: Ragland, Ed (USAALN) <ERagland@usa.doj.gov>; Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>;
Caplan, Robert W. <Caplan.Robert@epa.gov>
> Subject: RE: margin
>
> Great! Thanks Ed.
>
> -----Original Message-----
> From: Ragland, Ed (USAALN) <Ed.Ragland@usdoj.gov>
> Sent: Friday, February 8, 2019 3:12 PM
> To: Ingersoll, Andrew (ENRD) <AIngersoll@ENRD.USDOJ.GOV>; Caplan, Robert W. <Caplan.Robert@epa.gov>
> Cc: Dunne, Timothy (ENRD) <TDunne@ENRD.USDOJ.GOV>
> Subject: RE: margin
> Importance: High
>
> All:
>
> The materials have been filed. The docket clerk is in the process of putting it up on PACER. She is
going to telephone once it is up, and will let you know when that is.
>
> The case number is 2:19-cv-00240-AKK. Judge Kallon is a U. S. District Judge.
>
> For right now, I will scan and send the first pages evidencing the "FILED" stamp.
>
> Ed
>
> Edward Q. Ragland
> Assistant U. S. Attorney
> 1801 Fourth Avenue North
> Birmingham, Alabama 35203
> (205) 244-2109 (phone)
> (205) 244-2181 (fax)
> ed.ragland@usdoj.gov
>
> This communication, along with any attachments, may contain legally privileged and confidential
information that is to be used only by the intended recipient. Any review, reliance or distribution by
others or forwarding without express permission is strictly prohibited. If you are not the intended
recipient, please contact the sender and delete all copies
>
>
>
>
> -----Original Message-----
> From: Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>
> Sent: Friday, February 08, 2019 1:45 PM
> To: Caplan, Robert W. <Caplan.Robert@epa.gov>
> Cc: Ragland, Ed (USAALN) <ERagland@usa.doj.gov>; Dunne, Timothy (ENRD) <Timothy.Dunne@usdoj.gov>
> Subject: Re: margin
>
> Hurray!!! Good luck Ed - if you need to call me I am at 202-598-3312.
>
> - Andrew
>
>> On Feb 8, 2019, at 2:44 PM, Caplan, Robert W. <Caplan.Robert@epa.gov> wrote:
>>
>> Ed, we just received the green light to file the complaint and lodge the consent decree! Please keep
me posted on that process. Both EPA and the county will be issuing press releases after filing. I want
to make sure I understand the process for having those docs officially filed so that our press release
isn't issued prematurely.
>>
>> Robert Caplan
>> Senior Attorney
>> U.S. EPA, Region 4
>> 61 Forsyth Street
>> Atlanta, Georgia 30303
>> 404-562-9520
>>
>> -----Original Message-----
>> From: Ragland, Ed (USAALN) <Ed.Ragland@usdoj.gov>
>> Sent: Friday, February 08, 2019 2:10 PM
>> To: Caplan, Robert W. <Caplan.Robert@epa.gov>
>> Cc: Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>; Dunne, Timothy (ENRD)
<Timothy.Dunne@usdoj.gov>
>> Subject: Re: margin
>>
>> Ok
>>

>> Edward Q. Ragland
>> Assistant United States Attorney
>> 1801 4th Avenue North
>> Birmingham, Alabama 35203
>> (205) 244-2109
>>
>>
>>> On Feb 8, 2019, at 1:08 PM, Caplan, Robert W. <Caplan.Robert@epa.gov> wrote:
>>>
>>> Ed, thanks. Just heard from our press guys. Our DC folks had one question for me and I just answered it. I'm hoping to get the green light in just a bit. . .
>>>
>>> Robert Caplan
>>> Senior Attorney
>>> U.S. EPA, Region 4
>>> 61 Forsyth Street
>>> Atlanta, Georgia 30303
>>> 404-562-9520
>>>
>>> -----Original Message-----
>>> From: Ragland, Ed (USAALN) <Ed.Ragland@usdoj.gov>
>>> Sent: Friday, February 08, 2019 2:02 PM
>>> To: Ingersoll, Andrew (ENRD) <Andrew.Ingersoll@usdoj.gov>
>>> Cc: Caplan, Robert W. <Caplan.Robert@epa.gov>; Dunne, Timothy (ENRD) <Timothy.Dunne@usdoj.gov>
>>> Subject: Re: margin
>>>
>>> Just let me know. I'm sitting on "go"
>>>
>>> Edward Q. Ragland
>>> Assistant United States Attorney
>>> 1801 4th Avenue North
>>> Birmingham, Alabama 35203
>>> (205) 244-2109
>>>
>>> On Feb 8, 2019, at 12:47 PM, Ingersoll, Andrew (ENRD)
>>> <Andrew.Ingersoll@usdoj.gov<mailto:Andrew.Ingersoll@usdoj.gov>> wrote:
>>>
>>> Bob, meet Ed. Ed, meet Bob.
>>>
>>> Ed, if we gave you the green light at 1:30 your time, do you think we could still reasonably get PDFs back by 3:30 your time? If you could cc Bob on your email to me and Tim, I think that would be useful.
>>>
>>> Tim, I will be in a meeting and likely unable to respond, so I would have to rely on you to forward the endorsed documents to Joe Davis/CMO, and emailing courtesy copies to Bobby (Drummond's attorney) and Wade (JCBH attorney).
>>>
>>> From: Caplan, Robert W. <Caplan.Robert@epa.gov<mailto:Caplan.Robert@epa.gov>>
>>> Sent: Friday, February 8, 2019 1:43 PM
>>> To: Ingersoll, Andrew (ENRD) <AIngersoll@ENRD.USDOJ.GOV<mailto:AIngersoll@ENRD.USDOJ.GOV>>
>>> Subject: margin
>>>
>>> Waiting to hear. I just told them to get back to me now with the update. Do we have any wiggle room here? Can we squeeze for maybe another 30 minutes? I don't want to lose this opportunity to file today if we can free up approval say by 2:30.
>>>
>>> Robert Caplan
>>> Senior Attorney
>>> U.S. EPA, Region 4
>>> 61 Forsyth Street
>>> Atlanta, Georgia 30303
>>> 404-562-9520
>>>
>